

### TALBOT COUNTY PLANNING & ZONING OFFICE

# "Application checklist for wireless communications towers 100 feet or higher shall not exceed 200 feet"

This document is provided for guidance purposes only. See Chapter 190 of Talbot County Code, § 190-105 and §190-184 for complete list of submittal requirements.

Exemptions – Private amateur (ham) radio towers are less than 75 feet are exempt from the requirements of this section. [§190-105 A]

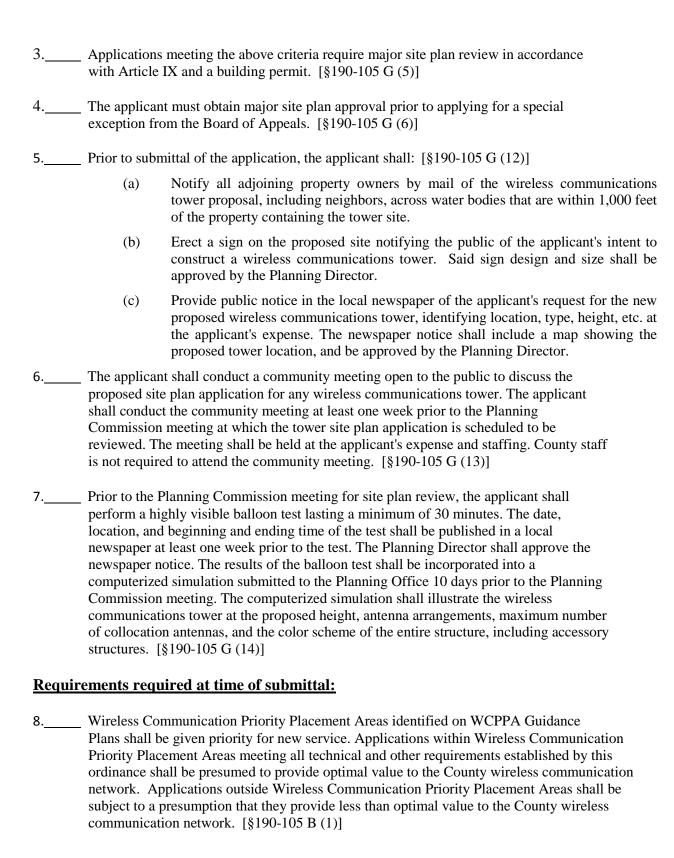
The following requirements are applicable to all wireless communications towers regardless of height and date of construction:

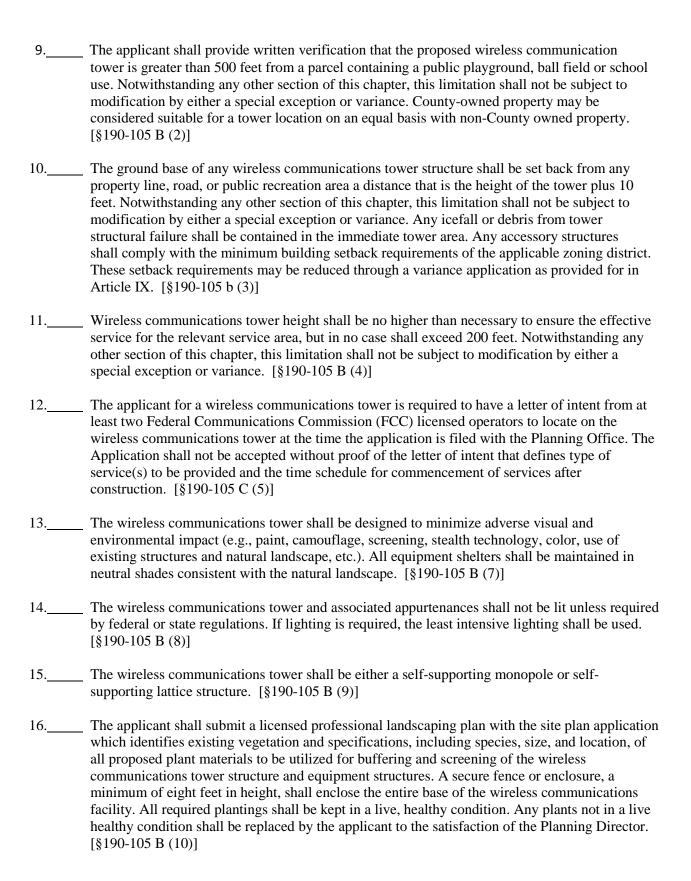
$\underline{\mathbf{Y}}$ – Yes	$\underline{\mathbf{N}} - \mathbf{No}$	$\underline{N/A}$ – Not Applicable - Use the following to fill in checklist below.
*****	*****	******************

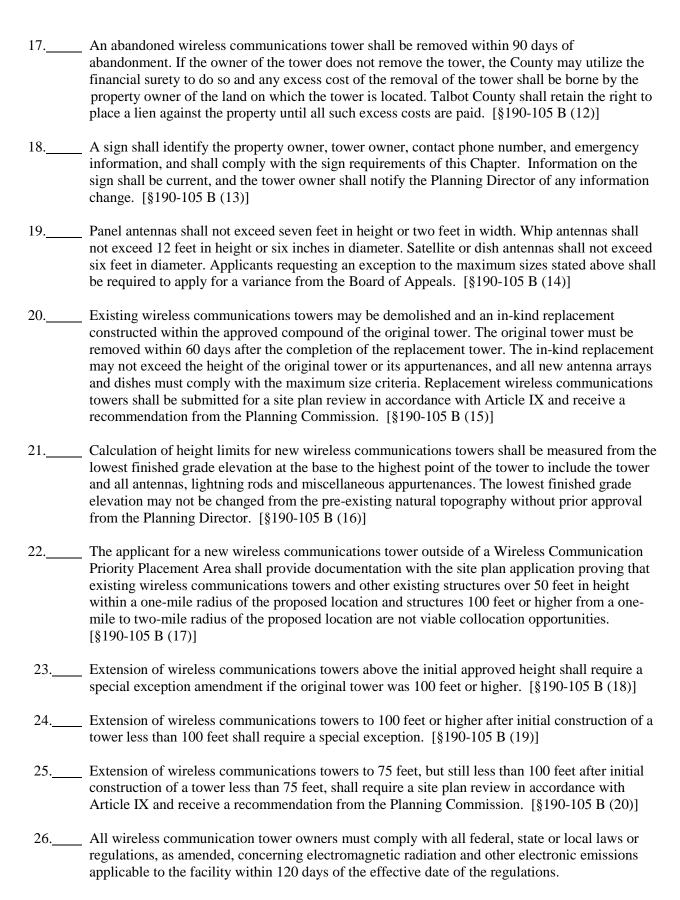
#### **Requirements prior to submittal:**

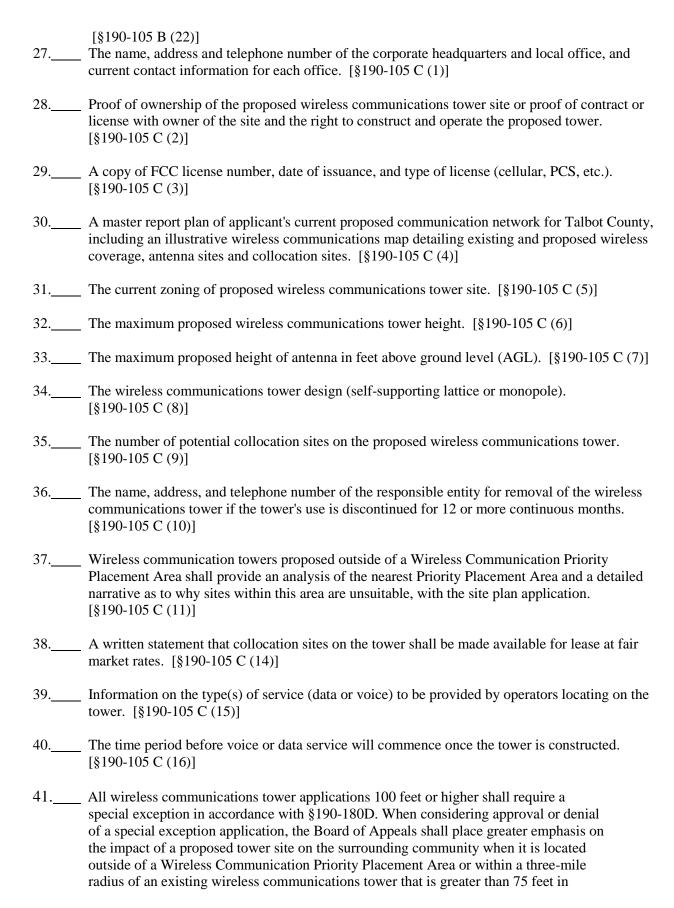
1	Proof that the site will not interfere with the County's Emergency Management Communication
	System. The applicant shall contact the Director of Emergency Management, and obtain written
	comments from the Director, prior to site plan application submittal for any new tower.
	[§190-105 C (12)]

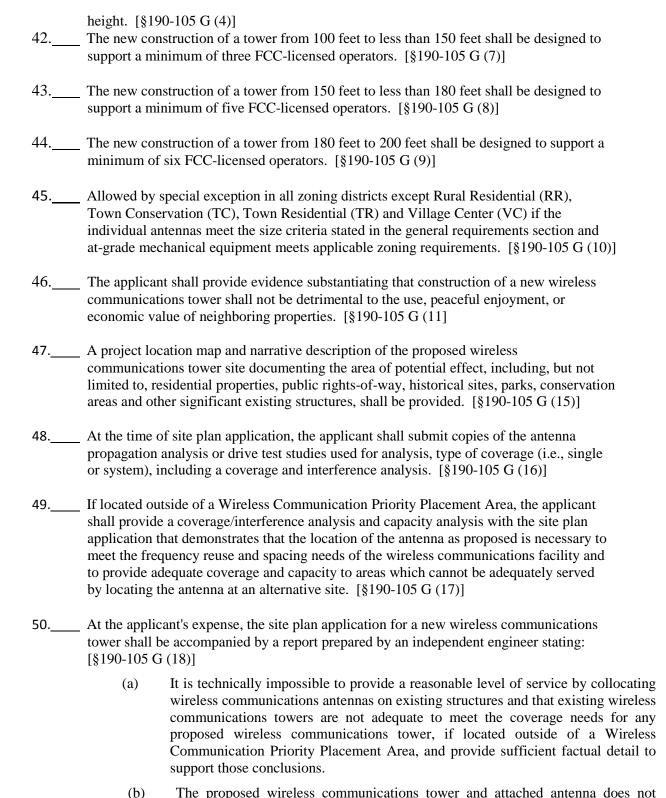
Site plan applications for a new wireless communications tower 75 feet or greater shall include copies of comments received from the Talbot County Historic Preservation Commission, the State Historic Preservation Office, the Federal Aviation Administration, the Maryland Aviation Administration, the Easton Airport, and the Medivac Unit of the State Police, and any other agency required to be notified by federal or state law. The applicant shall also contact the Maryland Department of the Environment and the U.S. Army Corps of Engineers, as applicable to the site. A site plan application shall not be accepted as complete until each of these agencies has either commented or confirmed it has no comment on the application. The applicant shall forward all comments received from these agencies to the Planning Office for consideration with the site plan application. At the applicant's request, the application shall be submitted to the Planning Commission to decide whether the application is complete or incomplete. If an incomplete application is not completed within thirty (30) days after written notice from the Planning Office, the matter shall be submitted to the Planning Commission for a decision on the merits of the application. However, if the applicant stipulates in writing that the application is not complete, the time for final action by the County on the application shall be extended, and shall not begin to run again until the application is completed. [§190-105 C (13)]











constructed, and in no case shall exceed 200 feet.

exceed the minimum height necessary to accomplish the purpose for which it is

- (c) Frequency of transmission of all proposed antenna on the wireless communications tower.
- (d) Power and size of proposed antenna in effective radiated power (ERP).
- (e) Azimuth of antenna.
- (f) Down-tilt of antenna.
- (g) Calculations utilized to justify design requirements (i.e., engineering trade-off analysis between height, ERP, antenna performance and coverage area).
- (h) The wireless communications tower has sufficient structural integrity for its current and future use, including multiple collocation antennas and that the tower facility complies with all American National Standard Institute (ANSI) standards. Factors to be stated are the maximum wind load and snow/ice load calculations.
- The Board of Appeals may require a review of the applicant's engineer's report by an independent consultant of its choosing, cost of the review to be borne by the applicant. [§190-105 G (19)]

#### **Requirements prior to building permit:**

- 52. The applicant is required to have at least two FCC licensed operators under contractual agreement to locate on the wireless communications tower prior to issuance of a building permit. [§190-105 B (6)]
- The owner of a wireless communications tower shall provide financial surety in a form and amount acceptable to the County to secure payment of 125% of the cost of removal of the tower, base, foundation to six feet below ground level, and accessory structures if the tower's use is discontinued for 12 or more continuous months. The surety instrument shall be provided prior to building permit application or for towers existing before adoption of this section, no later than 90 days after the effective date of this ordinance and shall be renewable on January 1<sup>st</sup> of each year and shall remain in full force and effect while the tower remains in place, and shall require the obligor and the tower owner to provide at least 90 days prior written notice to the County of either its intended expiration or non-renewal. The Planning Office may increase the amount of the surety as necessary from time to time to insure the amount is adequate to cover the cost of removal. [§190-105 B (11)]

## **Requirements after construction:**

- All tower owners must submit a certificate of compliance with all current Federal Communication Commission regulations concerning electromagnetic radiation and other electronic emissions applicable to the facility within 90 days of final construction, collocation and activation of equipment. [§190-105 B (21)]
- Tower owners shall submit a report annually in January describing the services provided from the tower on a wireless communication license and registration form to be provided by the Office of Planning and Zoning. Owners of towers existing prior to adoption of this section shall submit a report no later than 90 days after the effective date of this ordinance, and annually by January 31<sup>st</sup> each year thereafter. The Planning Director may assess fines or revoke the annual tower license if the report is not provided by January 31<sup>st</sup> of each year. [§190-105 B (239)]

56	Once a tower is erected, financial surety is accepted by the County and upon final building permit compliance inspection; the applicant shall apply for and obtain a wireless communication facility license. Owners of towers existing prior to adoption of this section shall apply for an annual license no later than 90 days after the effective date of this ordinance, and annually by January 31 <sup>st</sup> each year thereafter. The license shall be renewed annually provided the provisions of this ordinance and all state and federal requirements are met. The annual license fee shall be determined in accordance with a fee schedule as adopted by the County Council. [§190-105 B (24)]	
57	Revocation of the annual County license shall constitute abandonment of the wireless communication tower. An abandoned wireless communication tower shall be removed in accordance with section (12) above. [§190-105 B (25)]	
58	The Board of Appeals may require a review of the applicant's engineer's report by an independent consultant of its choosing, cost of the review to be borne by the applicant. [§190-105 G (19)]	
Genera	al collocation requirements:	
The fol	lowing requirements apply to all wireless communications collocation applications.	
59	Collocation is permitted in all zoning districts if the individual antennas meet the size criteria stated in the general requirements section, the antennas are mounted on an existing structure, and the at-grade mechanical equipment meets all applicable zoning requirements. [§190-105 D (1)]	
60	The applicant shall obtain a building permit for collocation on an existing wireless communications tower. Prior to building permit application, collocation on structures other than existing wireless communications towers located in all zoning districts shall require a site plan review in accordance with Article IX including a recommendation from the Planning Commission. [§190-105 D (2)]	
61	As a condition of permitting and continued operation, collocation space on wireless communications towers constructed after January 26, 2002 shall be made available for lease at fair market rates. [§190-105 D (3)]	
62	All building permits shall contain a provision granting Talbot County the right of first refusal to lease or purchase tower space for installation of public telecommunications and data transmission equipment or antennas at negotiated fair market rates. [§190-105 D (4)]	